

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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KATHLEEN D'AGOSTINO, et al.,

Plaintiffs,

v.

GOVERNOR DEVAL PATRICK, in his  
official capacity as Governor of the  
Commonwealth of Massachusetts;  
THOMAS L. WEBER, in his official  
capacity as the Director of the Department of  
Early Education and Care; and SERVICE  
EMPLOYEES INTERNATIONAL UNION,  
LOCAL 509,

Defendants.

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Case No. 1:14-CV-11866-GAO

**ASSENTED-TO MOTION BY ALL DEFENDANTS FOR  
EXTENSION OF TIME TO RESPOND TO AMENDED COMPLAINT**

Pursuant to Fed. R. Civ. P. 6(b), Defendants Deval Patrick, in his official capacity as Governor of the Commonwealth of Massachusetts; Thomas L. Weber, in his official capacity as Director of the Department of Early Education and Care ("EEC"); and Service Employees International Union, Local 509 ("SEIU") respectfully submit this *assented-to* motion for a two-week extension to respond to the Amended Complaint, until September 26, 2014.

As grounds for this motion, Defendants state as follows:

1. The Complaint in this matter was filed on April 16, 2014.
2. On April 28, 2014, Defendants filed an assented-to motion to extend the time to respond to the Complaint on July 15, 2014. See Dkt. No. 5. This Court granted the motion on April 29, 2014. See Dkt. No. 6.

3. On July 14, 2014, the parties filed a joint stipulation and motion providing for an amendment of the Complaint by July 31, 2014, and proposing the filing of responses by September 12, 2014. See Dkt. No. 12. This Court granted the joint motion on August 7, 2014. See Dkt. No. 16.

4. Plaintiffs filed the Amended Complaint on July 31, 2014. See Dkt. No. 15.

5. Defendants hereby seek an additional two (2) weeks to respond to the Amended Complaint, until and including September 26, 2014. Good cause exists for this request because Defendants plan to file, as their response, motions to dismiss the Amended Complaint. The undersigned counsel for Governor Patrick and EEC will require additional time to prepare the motion papers, and obtain the necessary approvals before filing. For the sake of consistency, the parties have agreed that all Defendants will file their motion papers together, so that Plaintiffs will be subject to one deadline for their opposition.

6. Plaintiffs' counsel, Attorney William Messenger, has indicated his assent to the relief requested in this motion.

For the foregoing reasons, Defendants respectfully request an extension of time to respond to the Amended Complaint, until and including September 26, 2014.

Date: September 10, 2014

Respectfully submitted,

GOVERNOR DEVAL PATRICK, in his  
official capacity as Governor of the  
Commonwealth of Massachusetts, and  
THOMAS L. WEBER, in his official  
capacity as the Director of the Department  
of Early Education and Care,

*By their attorney,*  
MARTHA COAKLEY  
ATTORNEY GENERAL

/s/ Tori T. Kim

Tori T. Kim, BBO #651721  
Assistant Attorney General  
Office of the Attorney General  
One Ashburton Place  
Boston, Massachusetts 02108  
Tel: (617) 963-2022  
Fax: (617) 727-5785  
Email: [tori.kim@state.ma.us](mailto:tori.kim@state.ma.us)

SERVICE EMPLOYEES  
INTERNATIONAL UNION,  
LOCAL 509,  
*By its attorneys,*

/s/ Katherine D. Shea

Katherine D. Shea, BBO #549771  
Betsy Ehrenberg, BBO #554628  
Pyle Rome Ehrenberg P.C.  
18 Tremont St., Ste. 500  
Boston, MA 02108  
Tel: (617) 367-7200  
Fax: (617) 367-4820  
Email: [kshea@pylerome.com](mailto:kshea@pylerome.com)  
[behrenberg@pylerome.com](mailto:behrenberg@pylerome.com)

/s/ Scott A. Kronland

Scott A. Kronland, CA Bar. #171693  
(*Admitted Pro Hac Vice*)  
Altshuler Berzon LLP  
177 Post Street, Suite 300  
San Francisco, CA 94108  
Tel: (415) 421-7151  
Fax: (415) 362-8064  
Email: [skronland@altshulerberzon.com](mailto:skronland@altshulerberzon.com)

*Assented-to:*

/s/ William L. Messenger

William L. Messenger (Va. Bar. #47179)  
(*Admitted Pro Hac Vice*)  
National Right to Work Legal Defense Foundation  
8001 Braddock Road, Suite 600  
Springfield, VA 22160  
Tel: 703.321-8510  
Fax: 703.321.8319

Email: [wlm@nrtw.org](mailto:wlm@nrtw.org)  
*Attorneys for Plaintiffs*

**LOCAL RULE 7.1 STATEMENT**

I certify that I have conferred with opposing counsel, William L. Messenger, regarding this motion, and have obtained his assent to the relief sought.

/s/ Tori T. Kim  
Tori T. Kim

**CERTIFICATE OF SERVICE**

I certify that this document filed through the ECF system will be sent electronically to registered participants as identified on the Notice of Electronic Filing (NEF) and that paper copies will be sent to those indicated as non-registered participants on today's date.

/s/ Tori T. Kim  
Tori T. Kim